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Human Rights Council
Twenty-ninth session
Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Argentina, Bolivia (Plurinational State of), Bosnia and Herzegovina,* Brazil, Chad,* Colombia,* Cyprus,* France, Georgia,* Greece,* Honduras,* Luxembourg,* Mali,* Montenegro, Paraguay, Peru,* Portugal, Russian Federation, Spain,* Thailand,* Turkey,* United States of America, Uruguay,* Venezuela (Bolivarian Republic of): draft resolution

29/... The incompatibility between democracy and racism

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recalling the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international documents,

Recalling also the commitment reached in the Vienna Declaration and Programme of Action concerning the elimination of racism, racial discrimination, xenophobia and related intolerance,

Recalling further the Durban Declaration and Programme of Action, adopted in September 2001 at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

Acknowledging that the Durban Declaration and Programme of Action, in its paragraphs 81 and 85, and the outcome document of the Durban Review Conference, in its paragraphs 10 and 11, recognize the incompatibility between democracy and racism,

Recalling General Assembly resolutions 68/237 of 23 December 2013, in which the Assembly proclaimed the International Decade for People of African Descent, commencing on 1 January 2015 and ending on 31 December 2024, with the theme "People of African descent: recognition, justice and development", and 69/16 of 18 November 2014, in which

* Non-member State of the Human Rights Council.

it adopted the programme of activities for the implementation of the International Decade for People of African Descent,

Recalling also Human Rights Council resolution 18/15 of 29 September 2011 and Council decision 2/106 of 27 November 2006, and Commission on Human Rights resolutions 2000/40 of 20 April 2000, 2001/43 of 23 April 2001, 2002/39 of 23 April 2002, 2003/41 of 23 April 2003, 2004/38 of 19 April 2004 and 2005/36 of 19 April 2005, on the incompatibility between democracy and racism,

Bearing in mind all relevant reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and of the United Nations High Commissioner for Human Rights with regard to the incompatibility between democracy and racism,

Taking note with appreciation of the report of the High Commissioner on the incompatibility between democracy and racism, presented to the Human Rights Council at its twenty-first session,[1]

Remaining alarmed by the rise of racism, racial discrimination, xenophobia and related intolerance in political circles, in the sphere of public opinion and in society at large,

Emphasizing that democracy, transparent, responsible, accountable and participatory governance responsive to the needs and aspirations of the people, and respect for human rights, fundamental freedoms and the rule of law are essential for the effective prevention and elimination of racism, racial discrimination, xenophobia and related intolerance,

Reaffirming that acts of racial violence do not constitute legitimate expressions of opinion but rather unlawful acts or offences, and that acts of racism and discrimination endorsed by Governments and public authorities may threaten democracy,

Recognizing the importance of freedom of speech and expression and the fundamental role of education and other active policies in the promotion of tolerance and respect for others and in the construction of pluralistic and inclusive societies,

Condemning political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination, and legislation and practices based on racism, racial discrimination, xenophobia and related intolerance, as incompatible with democracy and transparent and accountable governance,

Emphasizing the importance that States reinforce their commitment to promote tolerance and human rights and to fight against racism, racial discrimination, xenophobia and related intolerance as a way to strengthen democracy, the rule of law and transparent and accountable governance,

Reaffirming that any form of impunity condoned by public authorities for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts,

1. *Reaffirms* that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights, as established in the relevant international and regional human rights instruments, and are incompatible with democracy, the rule of law and transparent and accountable governance;

2. *Decides* to convene, at its thirty-first session, a panel discussion on the incompatibility between democracy and racism with a view to identifying challenges and good practices;

[1] A/HRC/21/27.

3. *Requests* the United Nations High Commissioner for Human Rights to organize the panel discussion in consultation with States, relevant United Nations bodies, funds and programmes, treaty bodies, special procedures and regional human rights mechanisms, as well as with civil society, non-governmental organizations, national human rights institutions and specialized national equality bodies as appropriate with a view to ensuring their participation in the panel discussion;

4. *Also requests* the High Commissioner to prepare a summary report on the panel discussion for submission to the Human Rights Council at its thirty-second session.

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Human Rights Council
Twenty-ninth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Russian Federation: draft resolution

29/... The fiftieth anniversary of the adoption and the fortieth anniversary of the entry into force of the International Covenants on Human Rights

The Human Rights Council,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the core of the International Bill of Human Rights,

Recalling that 2016 will mark the fiftieth anniversary of the adoption of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights by the General Assembly in its resolution 2200 (XXI) on 16 December 1966, and acknowledging the fundamental importance and special status of these basic human rights instruments of the United Nations,

Recalling also that 2016 will also mark the fortieth anniversary of the entry into force of the International Covenants on Human Rights,

Considering that the anniversary of the adoption of the International Covenants on Human Rights provides an opportunity for the United Nations and its Member States to intensify their efforts to promote awareness and strengthened observance of the rights set out in the Covenants and other international instruments in the field of human rights,

Reaffirming the importance of the observance and effective implementation of the universally recognized standards in the field of human rights as contained in the Covenants,

Recalling that all human rights are universal, indivisible, interdependent and interrelated, that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that while the

significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Reaffirming that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights, in conformity with the purposes and principles of the Charter and with international law,

1. *Reaffirms* the importance of the International Covenants on Human Rights as major components of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Calls upon* all States that have not yet done so to consider becoming parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and requests the Secretary-General to continue to support the annual treaty event to this end;

3. *Encourages* States parties to consider limiting the extent of any reservations that they lodge to the International Covenants on Human Rights and the Optional Protocols thereto, to formulate any reservations as precisely and narrowly as possible and to review regularly such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the relevant treaty;

4. *Calls for* the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols thereto;

5. *Invites* the United Nations High Commissioner for Human Rights to make provisions for events and arrangements aimed at the celebration of the anniversary of the two International Covenants on Human Rights and to circulate the relevant information among States and other stakeholders;

6. *Invites* relevant United Nations organs and agencies, in coordination with the High Commissioner, to celebrate the anniversary of the International Covenants on Human Rights by intensifying their own contributions to United Nations system-wide efforts to promote and protect all human rights and fundamental freedoms;

7. *Decides* to convene at its thirty-first session a high-level panel discussion on the topic, "The fiftieth anniversary of the International Covenants on Human Rights: universality, indivisibility, interdependence and interrelatedness of all human rights", in order to give the fiftieth anniversary of the International Covenants on Human Rights attention commensurate with its historical significance;

8. *Recommends* that the General Assembly mark the fiftieth anniversary of the International Covenants on Human Rights during its seventy-first session.